IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 23167 of 2004

Between:

Sorlam Naganna, S/o.Somayya,

Aged 54 years, Occ: Agriculture,
R/o.Lagari Village, Rajavommangi (M),
E.G.District.

..... PETITIONER

AND

1 The Addl.Agent to the Govt., East Godavary at Rampachodavaram.
2 The Special Deputy Collector, (Tribal Welfare),

Rampachodavaram, E.G.District.
3 The M.R.O., Rajavommangi (M), E.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ or order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents 2 & 3 in evicting the petitioner from the land to an extent of Ac.4.99 cents in Sy.No.1/11 of Lagarai (V), Rajavommangi (M), E.G.Dist., inpursuance of the order in L.T.R. P.NO.87/2004, passed by the 2nd respondent as illegal, arbitrary, unjust and consequently direct the respondents not to evict the petitioners from the above land pending disposal of the appeal preferred before the 1st respondent and to pass such other order or orders.

Counsel for the Petitioner: MR.K.VENKATESH

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

The Court made the following:

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ORDER:

Challenging the action of the respondents 2 and 3 in evicting the petitioner from the land to an extent of Ac.4.99 cents in Survey No.1/11 of Lagarai village, Rajavommangi Mandalam in pursuance of the orders in L.T.R.P.No.87/2004, passed by the 2nd respondent, the present writ petition is filed.

Admittedly, the petitioner seems to have been filed an appeal before the Additional Agent to Government, East Godavari District at Rampachodavaram against the orders of the 2nd respondent/Special Deputy Collector in LTRP No.87/2004, dated 30.09.2004, and it is pending and no orders have been passed so far.

As seen from the impugned proceedings, the petitioner is not in possession of the property. Therefore, the Writ Petition is disposed of with a direction to the 1st respondent to pass orders, on the appeal preferred by the writ petitioner dated 06.12.2004, on merits, giving an opportunity to the petitioner, within a period of 8 (eight) weeks from the date of receipt of a copy of this order. No order as to costs.

Dated: 14.12.2004

Dsr

ASSISTANT REGISTRAR

To:

1. The Addl.Agent to the Government,

East Godavary at Rampachodavaram

2. The Special Deputy Collector,

(Tribal Welfare), Rampachodavaram,

E.G.District

3. The Mandal Revenue Officer,

Rajavommangi Mandalam,

East Godavari District

4. Two CCs to the Government Pleader

for Revenue, High Court Buildings,

Hyderabad (OUT)

5. Two CD copies.